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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,310	12/17/1999	ROBERT J. CHANSLER	07844-280001	2224
21876	7590	09/23/2004	EXAMINER	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			NAHAR, QAMRUN	
			ART UNIT	PAPER NUMBER
			2124	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/467,310

**Applicant(s)**

CHANSLER, ROBERT J.

**Examiner**

Qamrun Nahar

**Art Unit**

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/5/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the RCE filed on 4/29/04.
2. Claims 1 and 11 have been amended.
3. Claims 1-35 are pending.
4. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Rangarajan et al ("Rangarajan", US 6,275,225).
5. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangarajan, see the previous Office Action, Mailed on 12/29/03, par. 6.

### ***Admitted Prior Art***

6. If Applicant does not seasonably traverse the well-known statement during examination, then the object of the well known statement is taken to be admitted prior art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). A seasonable challenge constitutes a demand for evidence made as soon as practicable during prosecution. Thus, Applicant is charged with rebutting the well-known statement in the next reply after the Office action in which the well-known statement was made. This is necessary because the Examiner must be given the opportunity to provide evidence in the next Office action or explain why no evidence is required. If the Examiner adds a reference to the rejection in the next action after applicant's rebuttal, the newly cited reference, if it is added merely as evidence of the prior well known statement, does not result in a new issue and thus the action can potentially be made final.

The object of the following well known statements is taken to be admitted prior art:

“The Examiner take Official Notice that a telephone connects to a PC system and utilizes the PC monitor to present a user interface associated with the telephone is well known in computer art.”, see the previous Office Action, Mailed on 12/29/03, par. 6.

***Response to Amendment***

***Claim Rejections - 35 USC § 102***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Rangarajan et al (“Rangarajan”, US 6,275,225).

**Per Claim 1 (Amended):**

Rangarajan teaches a method of defining a user interface for a computer program, comprising: after execution of the computer program has begun (*Start 201* of fig. 2; col. 5, line 8), defining a user interface of the program (col. 5, lines 56-58) by:

reading a function description of a first function to be provided by the user interface (col. 7, lines 8-14, and *605* and *607* of fig. 6), the function description including logic for selecting an appearance of the user interface (col. 7, lines 45-61; e.g. *Topology View*, *Pie/Bar*), the function description comprising instructions for handling user interface events (col. 8, lines 22-33);

executing the logic included in the function description to select an appearance description of a first appearance to be presented by the user interface (col. 7, lines 30-61;

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selecting on different boxes and radio buttons 511 in fig. 5 prompts the system to execute the logic to select different appearance descriptions to present to the user interface);

associating the function description and the appearance description on the fly at run time into an executable form; and executing the executable form of the user interface with the associated function description and appearance description (col. 5, lines 32-46; 215 of fig. 2; col. 7, line 62 to col. 8, line 12; and col. 9, lines 49-52).

**Per Claim 11 (Amended):**

Rangarajan teaches a method of defining a user interface for a computer program, comprising: associating a map component and a fashion component on the fly at run time to generate the user interface (fig. 8; col. 9, lines 22-34 and col. 9, lines 49-52), the map component including logic for changing one of the map component and the fashion component (col. 9, line 59 to col. 10, line 13), the map component including instructions for handling and processing interface objects and events (col. 8, lines 22-33; and col. 9, lines 27-58);

combining the map component and the fashion component into an executable form; and executing the user interface with the associated map component and fashion component (fig. 8; col. 7, line 62 to col. 8, line 12; col. 9, lines 22-34; and col. 9, lines 49-52).

Furthermore, see the rejection in the last Office Action, Mailed on 12/29/03, paragraph 4 for rejection to claims 2-10 and 12-34.

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**Conclusion**

9. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (703) 305-7699 *if calling before October 28, 2004*, otherwise *if calling on or after October 28, 2004*, then the telephone number is (571)272-3730. The examiner can normally be reached on Mondays through Thursdays from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone number for the organization where this application or processing is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QN  
September 17, 2004

PRIMARY EXAMINER  
PRIMARY EXAMINER



ANIL KHATRI  
PRIMARY EXAMINER